

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 6859**

**BILL NUMBER:** HB 1288

**NOTE PREPARED:** Jan 30, 2008

**BILL AMENDED:** Jan 29, 2008

**SUBJECT:** Behavior Analysts.

**FIRST AUTHOR:** Rep. Summers

**FIRST SPONSOR:** Sen. Dillon

**BILL STATUS:** As Passed House

**FUNDS AFFECTED:** ☒ **GENERAL**  
☒ **DEDICATED**  
☐ **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) The bill makes it a Class B misdemeanor if an individual professes to be a certified behavior analyst and the individual does not hold and maintain the certified behavior analyst credentials administered by the Behavior Analyst Certification Board, Inc.

**Effective Date:** (Amended) July 1, 2009.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** (Revised) *Summary-* A violation of the bill's provisions would constitute a Class B misdemeanor. If additional court cases occur and fines are collected, revenue to both the Common School Fund (from fines) and the state General Fund (from court fees) would increase. The maximum fine for a Class B misdemeanor is \$1,000. However, any additional revenue would likely be small.

*Background-* There are 23 Behavior Analyst Certification Board (BACB) certified behavior analysts known to practice in Indiana.

**Explanation of Local Expenditures:** (Revised) *Penalty Provision:* A Class B misdemeanor is punishable by up to 180 days in jail.

**Explanation of Local Revenues:** (Revised) *Penalty Provision:* If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from court fees. However, any change in revenue would likely be small.

**State Agencies Affected:**

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:** Behavior Analyst Certification Board website: <http://bacbreg.macusa.net>.

**Fiscal Analyst:** Chris Baker, 317-232-9851.